

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION  
CIVIL CASE NO. 2:11-cv-00048-MR-DLH

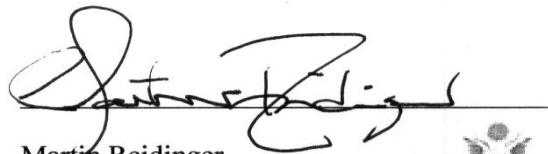
RAYMOND EUGENE PUSZ, )  
                            )  
Plaintiff,              )  
                            )  
vs.                      )        JUDGMENT  
                            )  
                            )  
MICHAEL J. ASTRUE,     )  
Commissioner of Social Security,     )  
                            )  
Defendant.              )  
                            )  
\_\_\_\_\_

For the reasons set forth in the Memorandum of Decision and Order  
filed herewith,

**IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED** that  
that the Plaintiff's Objection [Doc. 17] is **SUSTAINED**; the Magistrate  
Judge's Memorandum and Recommendation [Doc. 16] is **REJECTED**; the  
Defendant's Motion for Summary Judgment [Doc. 14] is **DENIED**; and the  
Plaintiff's Motion for Summary Judgment [Doc. 11] is **GRANTED** to the  
extent that the Plaintiff seeks reversal of the Commissioner's decision  
denying him disability benefits. To the extent that the Plaintiff seeks an  
immediate award of benefits, the Plaintiff's Motion [Doc. 11] is **DENIED**.

Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the decision of the Commissioner under Sentence Four of 42 U.S.C. § 405(g), the decision of the Commissioner is **REVERSED** and this case is hereby **REMANDED** for further administrative proceedings.

Signed: February 11, 2013



Martin Reidinger  
United States District Judge

